

REMARKS

In response to the Office Action mailed May 3, 2005, the present application has been carefully reviewed and amended. Entry of the foregoing amendment and reconsideration of the application are respectfully requested.

Rejections under 35 USC §102US 5,411,785

Claim 1 stands rejected under 35 USC §102 as being anticipated by Cook (US 5,411,785). [Paper 04212005, page 3]

The Examiner relies upon Cook to disclose a reflective surface on the panel contacting portion (column 6, lines 25 – 27). The Examiner further asserts, "A high gloss surface is deemed to be a reflective surface." [Paper 04212005, page 3]

There is no basis or support in the cited reference for the assertion "A high gloss surface is deemed to be a reflective surface."

To more particularly point out the invention, Claim 1 is amended to recite "retroreflective surface" on the panel contacting portion. As set forth in the Photonics dictionary (www.Photonics.com) retroreflection is the reflection in which radiation is returned in directions close to that from which it came, this property been maintained over a wide range of directions of incident radiation." In contrast, gloss (glossy) is the property of a surface which is responsible for the degree to which

reflected highlights or images of objects may be seen as superimposed on the surface." Glossy is not retroreflection.

Therefore, the rejection in view of Cook has been overcome.

Further, Cook does not disclose a reflective surface on a panel contacting portion, or even a high gloss surface on a panel contacting portion. Lines 25 – 27, as relied upon by the Examiner, relate to the configuration the composite extrusion of Figure 6 and state in relevant part, "Furthermore, after cooling, a high gloss coating can be sprayed onto the thermoplastic material to improve its surface appearance, and its scuff resistance." As seen in Figure 6, and set forth at column 6, lines 13 – 15, "a layer of thermoplastics material 84 can be extrusion coated onto what will be the exposed face of the edge trim." Thus, Cook discloses locating a high gloss spray coating on the edge trim, rather than on a panel contacting portion release of the contacting the panel.

As Cook does not disclose a retroreflective surface, nor a retroreflective surface on the panel contacting portion, the rejection under 35 USC §102 has been overcome.

US 6,180,545

Claims 24 and 25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Okeya (US 6,180,545). The Examiner asserts the preamble "automotive weatherseal" is deemed to be a statement of intended use

and is not further limiting in so far as the structure of the product is concerned. [Paper 04212005, page 3]

Claims 24 and 25 have been amended to recite in part, "a weatherseal body engaging the vehicle." As Okeya does not disclose or suggest a weatherseal body engaging a vehicle, this rejection has been overcome.

US 6,370,824

Claims 1 and 26 – 28 stand rejected under 35 USC §102 as being anticipated by Keeney (US 6,370,824). [Paper 04212005, page 3]

Claim 1

Claim 1 has been amended to recite in part "a retroreflective surface" on the panel contacting portion of the weatherseal.

While applicant maintains a glossy surface as set forth in the cited reference is not a reflective surface, the amendment of Claim 1 clearly distinguishes Keeney. That is, a glossy surface is not a retroreflective surface. Therefore, Claim 1 is in condition for allowance.

Claims 26-28

Keeney is relied upon to disclose a reflective flock extending along the length of the weatherseal, citing col. 1, lines 39 - 57. This portion of Keeney is reproduced below:

When sealing a movable structure from the interior of the vehicle such as a window, a different problem is presented. A weather strip which seals the window from the interior of the vehicle will have a sealing wing which makes contact with the interior side of the window. To allow for proper sealing, the sealing wing typically is fabricated from the afore described EPDM rubber, TPV or TPR material having a durometer between 40 and 90 Shore A. Additionally the sealing wing will have flocking or a low friction coating added thereon. These materials, flocked or not flocked, are often difficult or expensive to provide in any color other than black. Even if such sealing materials are pigmented to another color, they do not present a glossy finish. It is desirable to provide a weather strip having a sealing wing that can seal an interior surface of the vehicle (such as a movable window) while at the same time provide a glossy finish seen from the exterior of the vehicle which may be optionally color matched with the body panels of the vehicle.

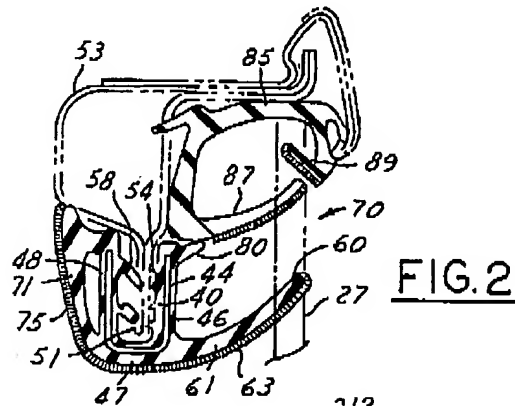
(Col. 1)

This does not disclose a reflective surface. Rather, Keeney discloses a glossy surface which is not a contact surface.

Keeney does not disclose a glossy contact surface, nor a reflective flock. Rather, Keeney discloses that prior sealing wings have been flocked and are difficult to provide in any color other than black. This does not disclose the recited retroreflective surface.

Further, the relied upon portion of Keeney states "even if such a sealing materials are pigmented to another color, they do not present a glossy finish." Thus, Keeney is not disclose the recited limitation of "a

reflective flock" but actually teaches away by the statement of the prior flocked surfaces that "do not present a glossy finish."



As seen in Figure 2 of Keeney, a second ionomer material 63 is a low friction surface which does not require the utilization of a low friction coating or flocking. [Col. 3, lines 18-19] Keeney only discloses wings 87 and 89 as being flocked and does not disclose that the flock is reflective. Only the ionomer layer material 63, which is not flock, is glossy. Therefore, Keeney cannot sustain a rejection of Claims 26 - 28, which recite in part "a reflective flock" under 35 USC §102.

US 5,183,613

Claims 1 – 11, 13, 14, 17, 18, 20, 21 and 29 – 31 stand rejected under 35 USC §102 as being anticipated by Edwards (US 5,183,613).
[Paper 04212005, page 4]

Claims 1-8

Independent Claims 1 and 6 stand rejected based upon a construction of Edwards that the microspherical glass beads are reflective particles and therefore provide the coating, which is on a panel contacting portion, to be reflective surface. [Paper 04212005, page 4 and 5]

Applicant notes that Edwards discloses *inert* microspherical glass beads. (column 10, line 28) [emphasis added]. There is no disclosure or suggestion in Edwards that the inert microspherical glass beads are reflective. Further, even if the glass beads in Edwards are shown to be reflective (though there is no support in Edwards for such assertion), independent Claims 1 and 6 recite in part "a retroreflective surface" (Claim 1) and "a multitude of retroreflective particles" (Claim 6).

Therefore, this rejection has been overcome. As Claims 2 - 5 depend from Claim 1 and include all limitations thereof, and Claims 7 and 8 depend from Claim 6 and include all limitations thereof, these claims are also in condition for allowance.

Claims 9-14, 17, 18, 20 and 22

Each of Claims 9-14, 17, 18, 20 and 22 recite "a powder coating" (Claims 9 - 11, 13 and 14) or "a reflective powder coating" (Claims 17, 18, 20, 21 and 22).

The examiner relies upon the following portion of Edwards to disclose a powder coating:

proved processing. As an alternative approach, coatings were made from EPDM plus curatives and polyethylene powders and were applied without melting the polyethylene and subsequently cured. The intent was to

However, this portion of Edwards, in conjunction with the remaining disclosure, discloses that an EPDM (with associated curatives) and a polyethylene powder are extruded in the disclosed manner onto the weatherseal and subsequently cured, wherein the curing of the EPDM does not melt the entrained particles of polyethylene. This is not a powder coating, but rather a traditional extrusion of a thermoset material, wherein the extruded thermoset material includes an entrained polyethylene powder, wherein the polyethylene powder remains a powder upon curing of the thermoset extrudate.

Specifically, as set forth in Edwards the extrusion is not a powder coating:

40 In accordance with one of the main features of the present invention, a thin, uniform, polyolefin coating 5 is adhered to the outer surface of lips 3a and 3b and the inner surface of base 2a of substrate 2 (FIGS. 1-3) in any conventional manner such as coextrusion methods in the presence of a sufficiently high processing temperature, such as during cure of substrate 2, wherein the (Col. 8)

percent or all of the coating 5 is melted. Coating 5 most preferably is completely melted for ease of processing, that is, to enable coating 5 to pass easily through an extruder as compared to a substantially unmelted coating which would be "lumpy" and have difficulty in passing through an extruder. The base polyolefins uti- (Col. 8, line 66) (Col. 9, line 3)

In contrast, as set forth in the present disclosure, a powder coating is a coating that is applied as a dry material and when the powder coating is heated (on the weatherseal), the particles colliuefy (melt) to form a contiguous film. [Paragraph 53]

Thus, Edwards does not disclose a powder coating, nor a reflective powder coating as defined in the present disclosure, and therefore cannot sustain the asserted rejection.

Claims 29-31

Claims 29-31 recite "a reflective surface".

Again, applicant respectfully submits there is no support in Edwards that the inert microspherical glass beads are reflective. Applicant is unable to locate the word *reflect*, *reflective*, *reflection* or *reflecting* within the entire disclosure of Edwards. Therefore, Edwards cannot sustain the asserted rejection.

Rejections under 35 USC §103

Dependent Claims 15, 16, 22 and 23 stand rejected under 35 USC §103 as being unpatentable over Edwards (US 5,183,613) in view of Cook (US 5,411,785).


In view of the above distinctions of Edwards failing to disclose a reflective surface, or a retroreflective surface and the lack of any remedying disclosure in Cook the outstanding rejection by cannot be sustained.

With respect to the rejection of dependent Claims 12 and 19, applicant respectfully reasserts the lack of disclosure of a powder coating of Edwards.

Further, the Examiner's assertion that thermoset and thermoplastic materials are "members of a class of prior art polymers which are best suited for a particular purpose" is inaccurate. The examiner has not provided any basis for the assertion that thermoplastic materials and thermoset materials are either interchangeable, or are the best polymers for a particular purpose. Thermoplastic and thermoset materials have different performance characteristics, different weather resistance characteristics, different color fastness, as well as different processing parameters and characteristics which are not interchangeable and are not both best suited for a particular purpose. Therefore, the asserted rejection under 35 USC section 103 of these claims is not supported and should be withdrawn.

Therefore, Applicant respectfully submits all the pending claims, Claims 1 - 31, are in condition for allowance and such action is earnestly solicited. If, however, the Examiner believes that any further issue remains, she is cordially invited to contact the undersigned so that such matters can be promptly resolved.

Respectfully submitted,



Brian B. Shaw, Registration No. 33,782
HARTER, SECREST & EMERY LLP
1600 Bausch & Lomb Place
Rochester, New York 14604
Telephone: 585-232-6500
Fax: 585-232-2152

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